

DRAWING AMENDMENTS

The drawings have been amended as follows. Fig. 12 has been amended to correct several typographical errors. Specifically, the camming member has been correctly identified with reference numeral 732 (it was incorrectly identified as reference numeral 730). Reference numeral 724, including a solid leader line, has been added to refer to leaf 724 when it is in a compacted position. The Applicants aver that no new matter has been added by virtue of these amendments. A replacement sheet is attached hereto.

REMARKS/ARGUMENTS

Claims 1-19 are pending.

Claims 1-7, 18 and 19 are withdrawn.

Claim 9 has been canceled, without prejudice.

Claims 8 and 10 have been amended. Support for these amendments can be found throughout the specification and drawings, as originally filed.

The specification has been amended to correct various typographical errors. Support for these amendments can be found throughout the specification and drawings, as originally filed. The Applicants aver that no new matter has been added.

The drawings have been amended to correct typographical errors and to more clearly depict features and elements that were fully described in the specification. The Applicants avers that no new matter has been entered into the drawings by virtue of these amendments.

35 USC §102(b) REJECTION

Claim 8 stands rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,875,758 to Fujita.

The Applicants respectfully traverse the 35 U.S.C. §102(b) rejection of claim 8.

The law is clear that anticipation requires that a single prior art reference disclose each and every limitation of the claim sought to be rejected. 35 U.S.C. §102(b).

In the interests of expediting the prosecution of the instant application, and without admission that any amendment is necessary, the Applicants have amended claim 8 to incorporate the language of claim 9 therein.

Claim 8, as amended, recites, among other things, an anti-chatter device for a short runner manifold tuning valve of an engine manifold comprising: (1) an engine manifold including a series of short runners; (2) a series of actuatable valves in said short runners, said valves being attached to a shaft run through a bore in said manifold; (3) an opening adjacent said shaft; (4) an anti-chatter device disposed in said opening for removing any play of said shaft in its bore without imparting biasing on said shaft; and (5) a shaft engaging member and a retention device for frictionally holding said shaft engaging member in anti-chatter proximity to said shaft.

Fujita does not teach any such structure.

Specifically, Fujita fails to teach, among other things, a shaft engaging member and a retention device for frictionally holding said shaft engaging member in anti-chatter proximity to said shaft.

Accordingly, the Applicants submit that the 35 U.S.C. §102(b) rejection of claim 8 has been overcome.

Furthermore, the Applicants submit that Fujita does not render claim 8, as amended, obvious.

The standard for obviousness is that there must be some suggestion, either in the reference or in the relevant art, of how to modify what is disclosed to arrive at the claimed invention. In addition, "[s]omething in the prior art as a whole must suggest the desirability and, thus, the obviousness, of making" the modification to the art suggested by the Examiner. *Uniroyal, Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 1051, 5 U.S.P.Q.2d (BNA) 1434, 1438 (Fed. Cir.), cert. denied, 488 U.S. 825 (1988). Although the Examiner may suggest the teachings of a primary reference could be modified to

arrive at the claimed subject matter, the modification is not obvious unless the prior art also suggests the desirability of such modification. *In re Laskowski*, 871 F.2d 115, 117, 10 U.S.P.Q.2d (BNA) 1397, 1398 (Fed. Cir.1989). There must be a teaching in the prior art for the proposed combination or modification to be proper. *In re Newell*, 891 F.2d 899, 13 U.S.P.Q.2d (BNA) 1248 (Fed. Cir. 1989). If the prior art fails to provide this necessary teaching, suggestion, or incentive supporting the Examiner's suggested modification, the rejection based upon this suggested modification is error and must be reversed. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d (BNA) 1566 (Fed. Cir. 1990).

Specifically, Fujita fails to suggest, among other things, a shaft engaging member and a retention device for frictionally holding said shaft engaging member in anti-chatter proximity to said shaft. Accordingly, one of ordinary skill in the art would not look to Fujita for guidance on constructing an anti-chatter device as presently claimed.

35 USC §103(a) REJECTION

Claims 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,992,370 to Pringle in view of U.S. Patent No. 6,263,917 to Evans.

The Applicants respectfully traverse the 35 U.S.C. §103(a) rejection of claim 8.

In the interests of expediting the prosecution of the instant application, and without admission that any amendment is necessary, the Applicants have amended claim 8 to incorporate the language of claim 9 therein.

Reiterating, claim 8, as amended, recites, among other things, an anti-chatter device for a short runner manifold tuning valve of an engine manifold comprising: (1) an engine manifold including a series of short runners; (2) a series of actuatable valves in

said short runners, said valves being attached to a shaft run through a bore in said manifold; (3) an opening adjacent said shaft; (4) an anti-chatter device disposed in said opening for removing any play of said shaft in its bore without imparting biasing on said shaft; and (5) a shaft engaging member and a retention device for frictionally holding said shaft engaging member in anti-chatter proximity to said shaft.

Neither Pringle nor Evans, either alone or in combination therewith, suggests any such structure.

Specifically, neither Pringle nor Evans, either alone or in combination therewith, suggests, among other things, a shaft engaging member and a retention device for frictionally holding said shaft engaging member in anti-chatter proximity to said shaft. Accordingly, one of ordinary skill in the art would not look to either Pringle or Evans, either alone or in combination therewith, for guidance on constructing an anti-chatter device as presently claimed.

Accordingly, the Applicants submit that the 35 U.S.C. §103(a) rejection of claim 8 has been overcome.

ALLOWABLE SUBJECT MATTER

Claims 9-17 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The Applicants have rewritten claim 8 to incorporate the language of claim 9 therein. Claim 9 has been canceled, without prejudice. Accordingly, the Applicants submit that claims 8 and 10-17 are in a condition for allowance.

CONCLUSION

In view of the foregoing, the Applicant respectfully requests reconsideration and reexamination of the Application. The Applicant respectfully submits that each item raised by the Examiner in the Office Action of October 8, 2004 has been successfully traversed, overcome or rendered moot by this response. The Applicant respectfully submits that each of the claims in this Application is in condition for allowance and such allowance is earnestly solicited.

The Examiner is invited to telephone the Applicant's undersigned attorney at (248) 364-4300 if any unresolved matters remain.

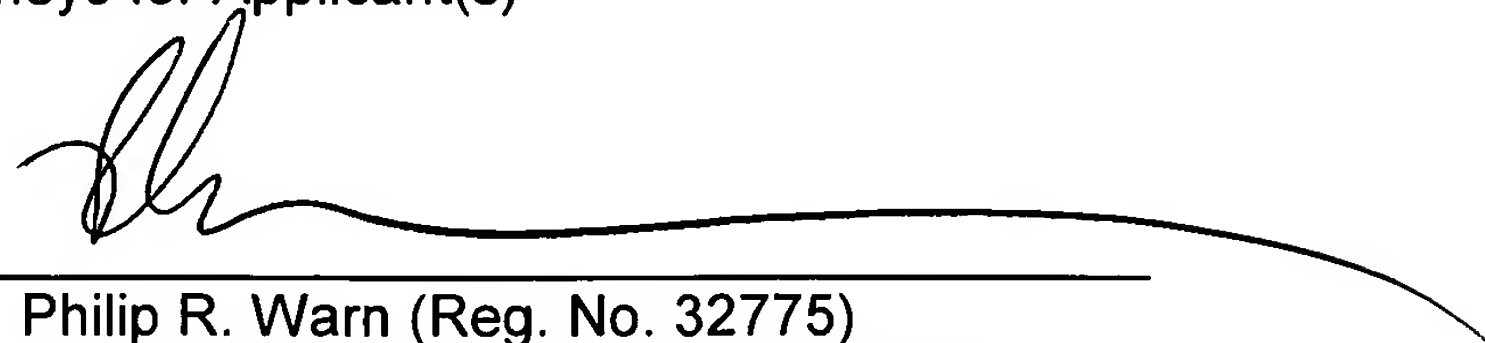
Any needed extension of time is hereby requested with the filing of this document.

The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 501612. A duplicate copy of this letter is enclosed herewith.

Respectfully submitted,

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PRW/PHS/cah



Figure - 11

